29

S.B. CIVIL WRIT PETITION NO.4661/2007.
Girdhari Lal Soni Vs. State of Rajasthan & Ors.
....

Date of Order :: 4th October 2007.

HON'BLE MR. JUSTICE DINESH MAHESHWARI

Mr. Mukesh Rajpurohit, for the petitioner.
Mr. Rameshwar Dave, Deputy Government Advocate.
....

By way of this writ petition, the petitioner has sought the following reliefs:-

> "(i) Respondents may be directed to grant regular pay scale (3200-4900) for the post of Gram Sewak cum Group Secretary to the petitioner from the date of initial appointment, with all consequential benefits.
>
> (ii) Any other relief this Hon'ble Court deems fit may be granted in favour of the petitioner.
>
> (iii) The writ petition may be allowed with costs throughout."

Leaving aside the other aspects of the matter, learned Deputy Government Advocate Mr. Rameshwar Dave has pointed out that for the view taken by this Court in Prashant Vohra & Anr. Vs. State & Ors. : D.B. Civil Special Appeal (Writ) No.119/2004, decided on 16.07.2004 and other orders made in similar writ petitions, the Government has proceeded to issue an order on 07.09.2007 allowing grant of regular pay scale to all the remaining Gram Sevaks from the date of initial

appointment upto 01.06.2002 or the date of confirmation whichever be the later in the regular pay scale of Rs.3200-4900 on notional basis; and thereafter of being allowed actual benefits. Learned Deputy Government Advocate has placed for perusal the order dated 07.09.2007. The said order is made applicable in relation to the 'Gram Sevak-cum-Paden Sachiv' appointed after passing the examination conducted in the year 1999. It is not in dispute that the present petitioner answers to the description of the employee contemplated by the order aforesaid. The operative portion of the order dated 07.09.2007 reads as under:-

> "माननीय उच्च न्यायालय में ग्राम सेवकों को वेतनमान देने संबंधी संभावित अनावश्यक लिटिगेशन को रोकने हेतु शेष बचे 1428 ग्राम सेवक पदेन सचिवों को भी न्यायालय के उपरोक्त निर्णयानुसार राज्य सरकार द्वारा वित्तीय लाभ देने का निर्णय लिया गया है, अत: शेष 1428 ग्राम सेवक एवं पदेन सचिवों को प्रथम कार्य ग्रहण तिथि से दिनांक 1.6.02 अथवा स्थाईकरण तिथि तक, जो भी बाद में हो, नियमित वेतन श्रृंखला 3200-4900 में काल्पनिक रूप से रूपये 3200/- पर वेतन निर्धारण किये जाने तथा दिनांक 2.06.02 से अथवा स्थाईकरण की तिथी यदि वह बाद में हो तो उक्त तिथि से वेतन निर्धारण एवं वेतन वृद्धि का नगद लाभ दिये जाने की स्वीकृति प्रदान की जाती है ।
>
> वर्ष 1999 में ग्राम सेवक पदेन सचिवों की आयोजित लिखित परीक्षा में सफल एवं नियुक्त ग्राम सेवक पदेन सचिवों को ही उक्त निर्णय अनुसार वेतन निर्धारण एवं वेतन वृद्धि का उपरोक्तानुसार लाभ देय होगा ।"

In view of the stand taken by the leaned Deputy Government Advocate on behalf of the State Government, it is apparent that the reliefs as claimed in this writ petition stands already granted to the petitioner and no further cause survives for consideration in this writ petition that is practically rendered redundant.

With the observations aforesaid, this writ petition is dismissed as redundant. No costs.

(DINESH MAHESHWARI), J.

Mohan/